Complete if Known Application Number 10/082,634 FEE TRANSMI7 Filing Date February 21, 2002 FOR FY 2004 First Named Inventor Selena Chan Examiner Name Betty J. Forman Patent fees are subject to annual Art Unit 1634 Applicant claims small entity status. See Attorney Docket No. 176/61011 (2-11144-1010) TOTAL AMOUNT OF PAYMENT

METHOD OF				FE	E CALCULATION (continued)		
Check Credit	Card Money Other None	3. ADDITIONAL FEES					
Deposit Account:	Order	Large	Entity	Small	Entity		-
Deposit	20	Fee	Fee	Fee	Fee	Fee Description	
Account 14-11 Number	38	Code 1051	(\$)	Code 2051	(\$)	Surcharge – late filing fee or oath	I
Number		1051	130 50	2051	65 25	Surcharge - late filling fee of oath Surcharge - late provisional filling fee or cover	
		1032	50	2032	23	sheet	
Deposit	n 1 1 1 1 n	1053	130	1053	130	Non-English specification	7
	Peabody LLP	1812	2,520	1812	2,520	For filing a request for ex parte reexamination	\neg
Name		1804	920*	1804	920*	Requesting publication of SIR prior to Examiner	
The Commissioner is a	uthorized to: (check all that apply)					action	
Charge fee(s) indicate	ed below	1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
Charge any additiona	l fee(s)	1251	110	2251	55	Extension for reply within first month	_
	ed below, except for the filing fee	1252	420	2252	210	Extension for reply within second month	
to the above-identified depo	· · · · · · · · · · · · · · · · · · ·	1253	950	2253	475	Extension for reply within third month	
	THE CALL CHILL ATTION	4		l			
	EE CALCULATION	1254	1,480	2254	740	Extension for reply within fourth month	
1. BASIC FILING FE		1255	2,010	2255	1,005	Extension for reply within fifth month	
Large Entity Small Fee Fee Fee	Entity Fee Fee Description	1401	330	2401	165	Notice of Appeal	
Code (\$) Code		1402	330	2402	165	Filing a brief in support of an appeal	
		1403	290	2403	145	Request for oral hearing	
1001 770 - 2001	385 Utility filing fee	1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1002 340 2002	170 Design filing fee	1452	110	2452	55	Petition to revive - unavoidable	
1003 530 2003	265 Plant filing fee	1453	1,330	2453	665	Petition to revive – unintentional	
		1501	1,330	2501	665	Utility issue fee (or reissue)	
	385 Reissue filing fee 80 Provisional filing fee	1502	480	2502	240	Design issue fee	
1005 160 2005	80 Provisional filing fee	1503	640	2503	320	Plant issue fee	
	SUBTOTAL (1) (S) 0	1460	130	1460	130	Petitions to the Commissioner	- 1
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	THE PART OF THE PA	1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	1
2. EXTRA CLAIM	FEES FOR UTILITY AND REISSUE	1806 8021	180	1806 8021	180 40	Submission of Information Disclosure Stmt 180 Recording each patent assignment per property	— I
	Fee from Extra Claims below Fee Paid	8021	40	8021	40	(times number of properties)	
Total Claims2	20** = X = 0	1809	770	2809	385	Filing a submission after final rejection	
Independent -3	**= X = 0	1810	770	2810	385	(37 CFR 1.129(a)) For each additional invention to be examined	
Claims	,	1010	770	2010	303	(37 CFR 1.129(b))	
Multiple Dependent	X = 0	1801	770	2801	385	Request for Continued Examination (RCE)	
	n	1000	000	1000	900	Description of a design	_
Large Entity Small Fee Fee Fee	Entity Fee Fee Description	1802	900	1802	900	Request for expedited examination of a design application	
Code (\$) Code		Other	fee (speci	fv)			
1202 18 2202	9 Claims in excess of 20	1	` •				
1201 86 2201	43 Independent claims in excess of 3	1					
1002 200 2202	146 M M I I I I I A I I I W I W I I I I	*Redu	ced by Ba	sic Filin	g Fee Paid	SUBTOTAL (3) (\$) 180	
	Multiple dependent claim, if not paid	1					
1204 86 2204	** Reissue independent claims over original patent	1				MAILING OR TRANSMISSION [37 CFR 1.8(a)]	i
1205 18 2205	9 ** Reissue claims in excess of 20 and	I heret	y certify	that this	corresponde	ence is being:	
	over original patent					ited States Postal Service on the date shown below with sufficienail in an envelope addressed to: Mail Stop AF, Commissioner	
	SUBTOTAL (2) (\$) 0					1450, Alexandria, VA 22313-1450	
**or number previously	paid, if greater; For Reissues, see above		☐ tra	nsmitte	d by facsim	ile on the date shown below to the United States Patent and	
		11.	Tr		c Office at (703)	
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SUBMITTED BY					-	Complete (if applicable)	
Name (Print/Type)	Edwin V. Merkel	_	tration N		40,087	Telephone (585) 263-1128	
Signature	190-10	(Altor	ney/Agen	<i>(i)</i>		Date April 22, 2004	
Signature	1 /millull					Date Mill LL, Loon	نـــــــــــــــــــــــــــــــــــــ

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6	TRANSMITTAL FORM		Application Number	10/082,634	
()	FORM		Filing Date	February 21, 2002	
	(to be use for all correspondence after in	itial filing)	First Named Inventor	Chan et al.	
	PATENT & THE		Group Art Unit	1634	
	PATENTO		Examiner Name	B.J. Forman	
	Total Number of Pages in This Submission	5	Attorney Docket Number	176/61011 (2-11144-1010)	

			Examiner Name	B.J. Forman			
Total Number of Pages in This S	Submission	5	Attorney Docket Number	176/61011 (2-11144-1010)			
ENCLOSURES (check all that apply)							
Fee Transmittal Form Fee Attached Amendment / Reply After Final Affidavits/declaration(s) Extension of Time Request Express Abandonment Request Supplemental Information Disclosure Statement (2 references and European Search Report attached) Certified Copy of Priority Document(s) Response to Missing Parts/ Incomplete Application		Drawing Declarat Licensin Petition Applicat Power o Change Termina Request	ion and Power of Attorney ng-related Papers to Convert to a Provisional	After Allowance Communication to Group Appeal Communication to Board of Appeals and Interferences Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) Proprietary Information Status Letter Application Data Sheet Request for Corrected Filing Receipt with Enclosures A self-addressed, prepaid postcard for acknowledging receipt Other Enclosure(s) (please identify below):			
A copy of the Notice to N under 37 CFR 1.52 or 1.5		Remarks The Commissioner is hereby authorized to charge any additional fees required or credit any overpayments to Deposit Account No. 14-1138 for the above identified docket number.					
	SIGNATUI	RE OF APPL	ICANT, ATTORNEY, O	DR AGENT			
Firm or Individual name	Edwin V. M Nixon Peak Clinton Sq Rochester,	oody LLP uare, P.O. Box 31051 New York 14603-1051 (585) 263-1128					
Signature	2ai	Denle	l	Registration No. 40,087			
Date	April	22, 2	504				
CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)] I hereby certify that this correspondence is being: deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) April 22, 2004 Date Signature							
				endy L. Barry ed or printed name			

PATENT

Docket No.: 176/61011 (2-11144-1010)

HE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants	:	Chan et al.)	Examiner:
)	B.J. Forman
Serial No.	:	10/082,634)	
)	Art Unit:
Cnfrm. No.	:	4466)	1634
Filed	:	February 21, 2002)	
For	:	MICROCAVITY BIOSENSOR, METHODS OF MAKING, AND USES THEREOF)	
			,	

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR § 1.97(d)

Mail Stop:
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This information disclosure statement is being filed under 37 CFR § 1.97(d), given that a Notice of Allowance has already been received by applicants.

The references listed on the accompanying PTO-1449 form were first cited in a search report (copy enclosed) from the European Patent Office for a counterpart European patent application, not more than three month from the submission date of this paper.

Two of the references listed in the attached search report are not listed on the accompanying PTO-1449 form, because Chan et al., (*J. Am. Chem. Soc.*, 123(47):11797-11798 (2001)) is already of record and WO 99/12035 corresponds to (and therefore is duplicative over) U.S. Patent No. 6,248,539, which is already of record.

04/27/2004 FMETEKI1 00000064 10082634

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Enclosed herewith is a check to cover the fee set forth under 37 CFR §1.17(p).

If any additional fees are required, the U.S. Patent and Trademark Office is authorized to charge Deposit Account 14-1138.

Respectfully submitted,

Date: April 22, 2004

Edwin V. Merkel Registration No. 40,087

NIXON PEABODY LLP Clinton Square, P.O. Box 31051 Rochester, New York 14603-1051

Telephone: (585) 263-1128 Facsimile: (585) 263-1600

Certificate of Mailing - 37 CFR 1.8(a)

I hereby certify that this correspondence is being deposited with the United States Poetal Service as first class mail in an envelope addressed to: Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450, on the date below.

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Wendy L. Berry

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U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE			ATTY. DO	OCKET NO.	•		SERIA	AL NO.	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT		176/61011 (2-11144-1010)					10/082,634		
		APPLICA	NT						
	(b.	- vc/2	Chan et al	•					
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				FOREIGN PAT	ENT DOCUMENTS				
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		ОТНЕ	R DOCUM	ENTS (including A	Author, Title, Date, Pertinen	t Pages, Etc	.)	<u>-</u> -	
	2	Theiss et al., "Opt	ical Sensors	Based on Porous S	ilicon Multilayers: A Prototyp	oe," Mat. Re	s. Soc. S	Symp. Proc. 452:637	'-642 (1997)

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EXAMINER: In	itial if cit			ot citation is in conf	ormance with MPEP 609; Dra	w line throu	gh citati	on if not in conform	ance and not